



MINNESOTA  
METHANE

August 17, 2005

Mr. Howard Bernstein  
RPS Program Manager  
Massachusetts Division of Energy Resources  
100 Cambridge Street, Suite 1020  
Boston, MA 02114

Re: Notice of Inquiry, July 1, 2005

Dear Mr. Bernstein:

On behalf of our company, Minnesota Methane LLC, I appreciate having this opportunity to submit Final Comments on the Notice of Inquiry issued by your agency and the Massachusetts Department of Environmental Protection. As you may know, Minnesota Methane owns and operates 14 landfill gas generating facilities in nine states, including Massachusetts and Connecticut, with a total capacity of 58 megawatts. We also operate 15 landfill gas collection, processing and distribution facilities for affiliated companies. In addition, we are in the business of developing new landfill gas generating projects, including a proposed expansion of an existing landfill gas generating facility in Massachusetts. By utilizing sound business practices and state-of-the-art operating practices, we provide long-term benefits not only to our shareholders, but to our host communities and their local environments.

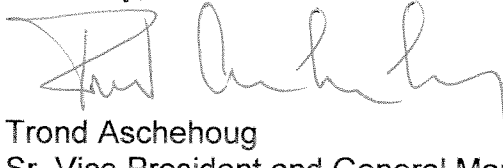
From the perspective of a company actively engaged in the development of new renewable energy facilities, we believe that the Renewable Portfolio Standard (RPS) and associated Renewable Energy Credit (REC) market are vital for achieving Massachusetts' goal of encouraging private investment in new renewable energy facilities. Developers have responded already and will respond in increasing numbers if the Massachusetts RPS program is allowed to mature as is. However, we believe the proposed rule change would stunt the development of new renewables for several reasons: First, expanding the list of eligible technologies will dilute the value of REC's in the market. The simple fact is that as you lower the value of REC's, fewer new renewable projects will be able to obtain financing. Surely your goal is not to undermine the economics of new renewable projects already under development and on the drawing board. Second, while we expect the value of REC's to decline over time as more new renewable facilities come on line, that decrease would be driven by market

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forces, not government fiat. If a market is disrupted by government controls, rather than driven by market forces, capital will exit and developers will turn their attention elsewhere.

We urge you to reconsider your proposed revisions to the RPS regulations and give the market a chance to work.

Sincerely,

A handwritten signature in black ink, appearing to read 'Trond Aschehoug', written over a horizontal line.

Trond Aschehoug  
Sr. Vice President and General Manager  
Minnesota Methane LLC